

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: June 11, 2015

Agenda Item: Prickly Pear Fishing Access Site Land Sale

Division: Fisheries

Action Needed: Endorsement

Time Needed on Agenda for this Presentation: 10 Minutes

Background

In August 2013, the Commission gave final approval to FWP's request to accept a donation of a 36-acre parcel from the Prickly Pear Land Trust for the purpose of providing fishing access on Prickly Pear Creek near Helena. The parcel consists primarily of riparian habitat along Prickly Pear Creek and includes a .3-mile section of a small spring creek that merges with Prickly Pear Creek. The parcel is bordered on the south by three homes and associated outbuilding. The property line comes very close to the homes and outbuildings, and the surveyed fence line would be within inches of one of the buildings. There is also an easement for a septic system on the FAS. To reduce the potential for conflict with adjacent landowners, create a buffer between the homes and the FAS, and eliminate the septic easement on FWP property, FWP proposes to sell approximately 1.13 acres to the adjacent landowners.

Public Involvement Process & Results

FWP will follow the process as outlined in 87-1-209 (3) (a), which allows the sale of land to government entities and neighboring landowners. Conversations with the adjacent landowners have indicated their willingness to consider purchasing the property.

Alternatives and Analysis

- 1) Pursue the possibility of selling approximately 1.13 acres to adjacent landowners.
- 2) Not pursue the possibility of selling approximately 1.13 acres to adjacent landowners, fence the property on the surveyed property line, and maintain the septic easement on the FAS.

Agency Recommendation & Rationale

FWP recommends that the Commission endorse the proposal to conduct further negotiations with the landowners, and if they are amenable, conduct the requisite analysis for sale.

Proposed Motion

I move that the Commission provide preliminary approval to explore the possibility of selling approximately 1.13 acres of the Upper Prickly Pear FAS to adjoining property owners.